

ORDINANCE NO. 024-143

AN ORDINANCE APPROVING THE FISCAL
YEARS 2025-2029 CAPITAL IMPROVEMENT
PROGRAM AND AUTHORIZING THE FILING
AND EXECUTION OF GRANT AND
COOPERATIVE AGREEMENTS AND
AMENDMENTS AND RELATED MATERIALS

WHEREAS, The Federal Transit Administration (“FTA”), an operating administration of the United States Department of Transportation (“USDOT”), is authorized to provide grants for transit improvement projects under Chapter 53 of Title 49, as amended by the Infrastructure Investment and Job Act (“IIJA”), U.S.C. Sections 5307, 5337, 5309(m)(2)(A), 5339, and 5340, and under 23 U.S.C. Sections 117, 133, 142, and 149, and other federal statutes; and

WHEREAS, The FTA has been delegated authority to award federal financial assistance for transportation projects; and

WHEREAS, The Chicago Transit Authority (“Authority”) is or will be a Designated Recipient under 49 U.S.C. Section 5307(a) (2); and

WHEREAS, The Authority intends to enter into a Full Funding Grant Agreement (FFGA) with the FTA and USDOT for Section 5309 Federal Capital Investment funds for the RLE project. The plan agreement would secure an FTA commitment to provide funding over multiple years; and

WHEREAS, The Chicago Metropolitan Agency for Planning (“CMAP”) as the designated Metropolitan Planning Organization (MPO) for the Northeastern Illinois Region has approved funding from the federal programs Congestion Mitigation and Air Quality (CMAQ) and Carbon Reduction Program (CRP) for the purchase of electric buses and charging infrastructure, and for the Red Line Extension (RLE) project; and

WHEREAS, CMAP administers Federal Section 5303 United Work Plan (UWP) funds to support the planning and development of the Agency’s five-year Capital Program for inclusion into the regional and State transportation improvement plans; and

WHEREAS, The United States Department of Homeland Security, which administers federal financial assistance for measures that enhance transit security, is prepared to make grant funds available to the Authority under the Transit Security Grant Program (TSGP) for capital projects; and

WHEREAS, The grants or cooperative agreements for federal financial assistance will impose certain obligations upon the Authority, and may require the Authority to provide the non-federal share of the projects; and

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WHEREAS, RTA is authorized to make grants for constructing or acquiring transportation facilities under Section 2.02 of the RTA Act; and

WHEREAS, RTA has implemented a new methodology to allocate regional capital funding, and specifically for FTA formula and State Motor Fuel Tax (MFT) funds. For FY 2025 and 2026, the RTA region's total funding is to be distributed to each of the Service Boards including the Authority on the basis of the 2016 RTA Asset Condition Assessment where each agency's share of the total need for the region to reach a State of Good Repair (SOGR) was as follows: the Authority (59.7%), Metra (32.8%), and Pace (7.5%); the 2027 through 2029 allocations are based on the an updated 20-year SOGR need calculation as follows: the Authority (59.7%), Metra (33.2%), and Pace (7.1%); and

WHEREAS, The State Capital construction program known as Rebuild Illinois provides an annual recurring funding source to fund SOGR projects and provide a local match for FTA discretionary project awards. Proceeds are generated from a 2019 increase in the State's Motor Fuel Tax of \$0.19 per gallon; and

WHEREAS, RTA's Innovation, Coordination, and Enhancement (ICE) funding program, established as part of the 2008 Mass Transit Reform Legislation, provides operating and capital assistance to enhance the coordination and integration of public transportation and to develop and implement innovations to improve the quality and delivery of public transportation. The Authority's share of RTA ICE funds is programmed annually for capital project improvements; and

WHEREAS, The Authority has provided, or will provide to the FTA, USDOT, IDOT, and RTA, all annual certifications and assurances required for the projects; and

WHEREAS, The Metropolitan Transit Authority Act, 70 ILCS 3605/12, empowers the Authority to issue bonds to finance capital projects, and the FY 2025-2029 Capital Improvement Program ("CIP") includes planned proceeds to pay for a share of the Red Line Extension project costs from Authority capital bonds; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Fiscal Years 2025-2029 Capital Improvement Program in the amount of Six Billion Nine Hundred Fifty-Nine Million Six Hundred Ninety-One Thousand Four Hundred Sixty-Three Dollars (\$6,959,691,463.00) is hereby approved.

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SECTION 2. The Chairman of the Chicago Transit Board and the President of the Chicago Transit Authority, or their designees, are authorized to execute and file applications on behalf of the Authority for financial assistance from any federal, state, or local agency or government, including but not limited to the Federal Transit Administration, the Illinois Department of Transportation, and the Regional Transportation Authority, to aid in financing the capital and planning projects included in the 2025-2029 elements of the CIP in an amount not to exceed \$1,201,871,311.00 (FY 2025 funds) and to amend grants approved under prior years' programs, pursuant to Title 49 of the U.S. Code, Chapter 53, Title 23 of the U.S. Code, and 70 ILCS 3615, 20 ILCS 2705, and 30 ILCS 330 et seq.

SECTION 3. The Chairman and President, or their designees, are further authorized to execute and file the annual certifications and assurances and such other documents as are required by any federal, state, or local agency or government, including but not limited to the Federal Transit Administration, Illinois Department of Transportation, or Regional Transportation Authority.

SECTION 4. The Chairman and President, or their designees, are further authorized to execute grant and cooperative agreements and amendments and any subsequent amendments thereto that do not increase the aggregate amount of the CIP or substantially change the CIP.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

Secretary

November 13, 2024

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